

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN T. LAMONT and PRESTON	§	
POULTER,	§	
	§	
Plaintiffs,	§	
	§	
V.	§	No. 3:21-cv-1176-K-BN
	§	
DEAN ASSAF a/k/a DA TALK,	§	
VICTORIA KUNDERT a/k/a	§	
VIKKIVERSE, and ETHAN VAN	§	
SCIVER,	§	
	§	
Defendants.	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. Objections were filed. The District Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the Court ACCEPTS the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

The Court therefore ORDERS the following:

1. The Motion to Vacate Default filed by Defendant Victoria C. Kundert a/k/a VikkiVerse (Kundert) [Dkt. No. 45] is GRANTED to the extent that the Court SETS ASIDE the Clerk's November 29, 2021 entry of default [Dkt. No. 34] under Federal Rule of Civil Procedure 55(c);

2. The motion for default judgment as to Kundert [Dkt. No. 40] is DENIED AS MOOT; and
3. Kundert must file a response to the First Amended Complaint within 21 days after entry of this order.

SO ORDERED.

Signed January 19<sup>th</sup>, 2023.

  
ED KINKEADE  
ED KINKEADE  
UNITED STATES DISTRICT JUDGE